
S4311
TEAL PLAZA MINOR SUBDIVISION
Minor-Sketch Plan

REVISED STAFF REPORT
July 12, 2012

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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner and property owner, Simon Property Group, represented by Vester & Associates, is seeking primary approval of a three lot commercial subdivision on 11.525 acres, located between Sagamore Parkway (US 52) and SR 38 at the Teal Road intersection, in Lafayette, Fairfield 34 (NE) 23-4. Two possible uses are proposed for Lot 1: a sandwich shop and a mattress store.

AREA ZONING PATTERNS:

The site is zoned GB, General Business, as is all surrounding property. A two acre parcelization was recorded on the old White Castle site in 1985. This parcelization will need to be dissolved prior to final plat recordation. There is no limit to the number of lots that can be created in a commercial replat.

AREA LAND USE PATTERNS:

Proposed Lot 1 has a restaurant called the "Breakfast Nook." Proposed Lot 2 is the location of an auto parts store called PepBoys; the same building also has two vacancies (previous tenants include Hobby Lobby and Circuit City). Proposed Lot 3, which was added too late for hearing at the July Executive Committee meeting, is the location of a former miniature golf course and includes a "right in/right out only" driveway onto Sagamore Parkway. The majority of the parking spaces and three of the four driveways (the southernmost one on Sagamore Parkway and two on SR 38) are located on Lot 2 which is the largest of the three proposed lots. Lot 1, although it has frontage, has no direct access onto Sagamore Parkway.

TRAFFIC AND TRANSPORTATION:

Sagamore Parkway is a divided primary arterial; SR 38 is also a primary arterial. The rights-of-way for both streets are already in place. No additional right-of-way dedication is necessary so no mortgage affidavit is needed. Except for the four existing entrances, "No Vehicular Access" statements (NVA) are shown along the existing rights-of-way. Ingress/egress easements are shown along Lot 1's north, south, and east lot lines adjoining Lots 2 and 3. These easements will legitimize the current access to Sagamore Parkway for Lot 1 through Lots 2 and 3.

The *Thoroughfare Plan* shows a proposed urban primary arterial extending east from the Teal Road/Sagamore Parkway intersection to SR 38. The conceptual centerline in the *Thoroughfare Plan* is essentially 60-ft. south of and parallel to the south boundary of this subdivision. As required by USO Section 5.3-3-b, any right-of-way for this proposed arterial that affects this subdivision must be reserved for 5-years (per requirements of USO Section 5.9). The Indiana Department of Transportation (INDOT) has provided a conceptual plan for this new road, including roundabouts at both intersections. This INDOT plan, which covers part of the southwest corner of Lot 2, has been shown on the sketch plan, and will also need to be shown on the final plat as the area reserved for the future Teal Road Extension. Except for any approved entrances, "No Vehicular Access" statement will need to be applied to this future right-of-way.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

All three lots are already served by city sanitary sewer and water. The sewer main is on the east side of US 52 so all three lots will continue to have direct access. The water main however, serves Lots 1 and 3 through Lot 2. The city is requesting the creation of 10' utility easements centered on these existing water mains on Lot 2. Drainage will be reviewed by the city during the building permit process.

CONFORMANCE WITH UZO REQUIREMENTS:

Setbacks shown are correct. The GB zone does not have lot width or lot area requirements. No buffering is necessary other than what is required by city ordinance. Parking standards will be reviewed at the time of building permit issuance for the change of use.

STAFF RECOMMENDATION:

Conditional primary approval, contingent on the following:

A. Conditions

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. The "No Vehicular Access" statements shall be platted as shown on the sketch plan.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks shall be platted.
4. The street addresses and County Auditor's Key Number shall be shown.
5. P85-23 must be dissolved prior to recording of the final plat.
6. The proposed ingress/egress easements as shown on the sketch plan shall be platted.
7. The area for the INDOT plan shall be delineated and labeled as a 5-year Reservation for Future Right-of-way for the Teal Road Extension. It shall be noted that the reservation period begins on the date the primary approval is granted, reference Unified Subdivision Ordinance Section 5.9, and that except for any approved entrances, "No Vehicular Access" will need to be applied to this future right-of-way.
8. The ten foot wide utility easement centered on existing water lines servicing Lots 1 and 3 shall be shown where they cross Lot 2.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

9. The "No Vehicular Access" restrictions shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.